

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – JUNE 15, 2004 -7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
Chuck Smith
Eddie Butler
Charles Barton
Rick Osbon
Willar H. Hightower, Jr.

Council Members absent:

LaWana McKenzie

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Osbon led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. June 1, 2004 Worksession
 2. June 1, 2004 Regular Meeting
- a. Councilman Osbon made a motion to approve the minutes as amended in Worksession. Councilman Butler seconded.
 - b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilman Osbon made a motion to amend and approve the agenda as follows:
 1. Add Consent Item 7 – Proposed Resolution To Authorize the Council Chairman to Execute an Amendment to the Agreement with North Augusta Business Technology Center, LP for Space for the North Augusta Health Department.

2. Add Consent Item 8 – Proposed Resolution To Authorize the Council Chairman to Execute an Agreement With Motorola Mobile Communications for Electrical Grounding of the Communications System at the Sheriff’s Office.
- b. Councilman Hightower seconded the motion. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Establish a Local Three Percent Tax on Accommodations in Aiken County.
 - a. Councilman Hightower commented that other counties and cities had implemented an accommodations tax and that Aiken County would not be the sole county in South Carolina utilizing such a tax.
 - b. Councilman Smith voiced his opposition to the proposed tax and cited a lengthy list of federal, state and local taxes that citizens as well as business owners are paying. Councilman Smith questioned the practice of implementing a tax whenever a request funding came to Council.
 - c. Several Council members commented that the accommodations tax would be paid by people traveling through and visiting Aiken County.

Council asked staff to research studies relating to accommodations taxes and tourism to discern whether accommodations taxes have a negative impact on tourism.

2. Proposed Ordinance to Levy and Impose a One Percent Sales and Use Tax, Subject to a Referendum, Within Aiken County Pursuant to the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-10-300, et seq.; to Define the Specific Purpose or Purposes and Designate the Projects for Which the Proceeds of Such Tax May be Used; to Provide the Maximum Cost of the Projects or Facilities Funded from the Proceeds of Such Tax and the Maximum Amount of Net Proceeds to be Raised by Such Tax; to Provide for a County-Wide Referendum and to Prescribe the Contents of the Ballot Question in Such Referendum; to Provide Conditions Precedent to the Imposition of Such Tax and Condition or Restrictions on the Use of Such Tax Revenue; to Establish a Formula by Which Multiple Projects are Funded Simultaneously; to Provide for the Conduct of Such Referendum by the Registration and Election Commission of Aiken County, to Provide for the Administration of Such Tax, if Approved; to Provide for the Payment of Such Tax; and to Provide for Other Matters Relating Thereto.
 - a. Councilman Hightower stated that another Public Hearing would be held when the list of Capital Projects was completed and published.
 - b. Councilman Singer clarified that the first referendum and the funds from that referendum, had been administered by Council in a manner that was consistent with what had been on the ballot.
3. Proposed Ordinance to Amend the Aiken County Code of Ordinances by Adding Section 24-184 Tattoo Parlors Establishing Regulations Concerning Their Location in Aiken County, South Carolina.
 - a. Councilwoman Rawls explained that the State had legalized tattoo parlors and that the purpose of this Ordinance was to protect areas throughout the County.

(G) OLD BUSINESS

1. Proposed Ordinance to Declare Certain Property, Known as the Willie Whaley Park and Located in the Town of Burnetttown, as Surplus and to Authorize Its Transfer to the Town of Burnetttown. (Development Committee) (Third Reading)
 - a. Councilman Butler moved for the adoption. Councilman Smith seconded.
 - b. Passed by unanimous vote.
2. Proposed Ordinance to Establish a Local Three Percent Tax on Accommodations in Aiken County. (County Council) (Second Reading)
 - a. Councilman Barton moved for the adoption. Councilwoman Rawls seconded.
 - b. Passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilman Butler, Councilman Barton, Councilman Osbon, Councilman Hightower and Chairman Young voting in favor. Councilman Smith voted in opposition. Councilman Singer stated that he reserved the right to change his vote at the next reading pending the outcome of the research staff would be providing.

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, 6, and 7. (Rawls, Singer, McKenzie, Smith, Butler, Barton, Osbon)
2. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2004 Council Contingency Fund. (County Council)
3. Proposed Resolution to Authorize the Council Chairman to Execute a Contract with American Communities Partnership, Ltd, Doing Business as ACP-Visioning & Planning for Professional Services for the Preparation of a Strategic Plan for Aiken County. (County Council)
4. Proposed Resolution Providing for the Fees Received from the Various Fee-In-Lieu of Tax Agreements to be Split and Distributed Between Aiken County School District, USCA, Aiken Tech and Aiken County Government. (County Council)
5. Proposed Resolution to Accept Funds from Aiken Electric Cooperative to Assist in the Construction of the Hydrogen Lab. (County Council)
6. Proposed Ordinance to Amend the Aiken County Code of Ordinances by Adding Section 24-184. Tattoo Parlors Establishing Regulations Concerning Their Location in Aiken County, South Carolina. (County Council) (Second Reading)

7. Proposed Resolution To Authorize the Council Chairman to Execute an Amendment to the Agreement with North Augusta Business Technology Center, LP for Space for the North Augusta Health Department.
(ADDITION)
8. Proposed Resolution To Authorize the Council Chairman to Execute an Agreement With Motorola Mobile Communications for Electrical Grounding of the Communications System at the Sheriff's Office.
(ADDITION)
- a. Councilman Osbon made a motion to approve the Consent Agenda. Councilman Butler seconded.
- b. The Consent Agenda was approved by unanimous vote.

(I) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2004 Aiken County Contingency Report as of June 2, 2004.
2. Monthly Statement of Revenues, Expenditures, and Cash Position, General Fund of Aiken County for the Month Ending April 30, 2004.

(J) INFORMAL MEETING OF WHOLE

- a. Mr. Thomas Ramsey and Ms. Janet Cofer, acting as spokespersons for the Monticello Estates Subdivision, addressed Council with the homeowners' concerns about a driveway entrance into a commercial site located on property adjoining the subdivision. Barbee Electric Company, owner of the adjoining property, is in the process of constructing a service entrance for service vehicles and 18 wheeler trucks on Rosel Drive. Rosel Drive is a paved County road. Mr. Ramsey and Ms. Cofer stated that the business currently has entrance access off of Atomic Road. The residents are concerned about safety issues, increased commercial traffic through the subdivision, and potential damage to curbing, landscaping, drainage pipes and gas lines. Currently four, 23 year old shrubs have been uprooted to clear the area for the service entrance.
- b. Councilman Butler, resident Councilmember, stated that he had a meeting scheduled with Mr. Ramsey and Mr. Barbee the following evening to discuss the issue and to try to negotiate a compromise. Councilman Butler added that he had checked with the County Planning and Development Department when the project was initiated and had been told that the Barbee Electric Company was in compliance with the County regulations.
- c. Several residents from Monticello Estates voiced their concerns and opposition to commercial vehicles utilizing residential streets.
- d. Council asked staff to investigate any possible legal means to regulate the traffic or prevent the curb cut in the Monticello Estates Subdivision.
- e. Mr. Franklin Jackson commented on the 3% Accommodations Tax.
- f. Councilman Smith made a motion to recess for Executive Session. Councilwoman Rawls seconded.
- g. The motion to recess passed by unanimous vote.

RECESSED – 8:07 P. M.

(K) EXECUTIVE SESSION

1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

RECONVENED – 11:14 P. M.

- a. Councilman Singer made a motion to adjourn. Councilman Osbon seconded.
- b. Passed by unanimous vote.

(L) ADJOURNMENT – 11:15 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman